

REMARKS

Claims 1-16 and 18-22 are pending in this application after entry of this Amendment. Claims 1-16 and 18-21 are rejected. Claim 22 is newly added. No new matter has been added. It is respectfully submitted that the pending claims define allowable subject matter.

As an initial matter, if the present Amendment does not place the application in condition for allowance, Applicant respectfully requests a telephone interview between the Examiner and the undersigned.

Claims 1-4, 13, 15, 16, 19 and 20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by O'Reagan (U.S. Patent 7,100,229). Claims 5 and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Reagan in view of Kienlein (U.S. Patent 6,704,961). Claim 6 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Reagan in view of Agulnick (U.S. Patent 4,267,611). Claims 7-9 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Reagan in view of Weston (U.S. Patent 6,256,822). Claims 10 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Reagan in view of Neal (U.S. Patent 4,967,433). Claim 12 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Reagan in view of Emery (U.S. Patent 3,235,892). Claim 18 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Reagan in view of Weston and Emery. Applicant respectfully traverses these rejections for at least the reasons set forth below.

Independent claim 1 recites a mattress including “a resilient body having at least one upper surface portion for supporting a person”, “a plurality of shallow surface channels disposed in the at least one upper surface portion and extending parallel thereto” and “wherein said at least one upper surface portion is upwardly inclined, and wherein along at least a part of the length of said surface channels in the inclined upper surface portion, a direction of elongation of said surface channels is inclined relative to the horizontal.” Applicant submits that the cited O'Reagan reference fails to describe the claimed mattress.

In particular, the mattress of O'Reagan has a plurality of directional support ribs 65 disposed on a support surface (mattress) 20 and which extend LATERALLY (col. 4, lines 49-67). Channels 60 are formed between the directional support ribs 65 (col. 5, lines 1-5), and therefore the shape, size and orientation of the channels 60 is determined by that of the directional support ribs 65, i.e. they also extend laterally. As can be seen in Figures 1 and 4 of O'Reagan, the mattress of O'Reagan has multiple portions 70-85, some of which are inclined to the horizontal. However, the direction (parallel/coincident with the longitudinal length; i.e. head to toe; col. 4, line 58) of rising incline is PERPENDICULAR to the direction of elongation of the channels 60. Accordingly, O'Reagan discloses only transverse, lateral, horizontally-extending channels 60.

Moreover, Applicant submits that the cuts 55 in O'Reagan are not channels as required by the claimed invention. The cuts 55 cooperate with the channels to form individual cells 90, the length of which may be varied to provide differing support characteristics of differently-sized cells 90 and independent pressure dispersion (col. 6, line 57 to col. 7, line 3). As defined in O'Reagan, a channel is a structure wherein there is *selective removal* of resilient material (col. 5, lines 1-5). The cuts 55 do not include any portion having a selective removal of resilient material. Moreover, the cuts 55 do not operate in the same manner as the channels 60 as further defined in O'Reagan. Accordingly, the cuts 55 in O'Reagan are not channels.

Thus, O'Reagan fails to teach or suggest an upper surface portion being inclined whereby, in a supporting orientation, along at least apart of the surface channels, the direction of elongation, namely the direction along which the surface channels extend, the surface channels are inclined to the horizontal.

Applicant submits that dependent claims 2-16, 18-21 and newly recited claim 22 further recite subject matter not anticipated or rendered obvious by the cited references. Moreover, Applicant submits that Kienlein, Agulnick, Weston, Neal, and Emery fail to make up for the deficiencies in the O'Reagan reference. For example, regarding claim 19 that recites a support supporting the mattress, the support including a substantially flat base surface and said body

having an upward incline along a centerline from a foot portion to a head portion, O'Reagan teaches that at least one section (i.e., third plane 80) has a downward decline. As another example, claim 20 recites wherein the at least one upper surface portion for supporting a person is configured in the form of a seat. O'Reagan teaches an inclined bed configuration in Figure 3. This is not the same as being configured in the form of a seat.

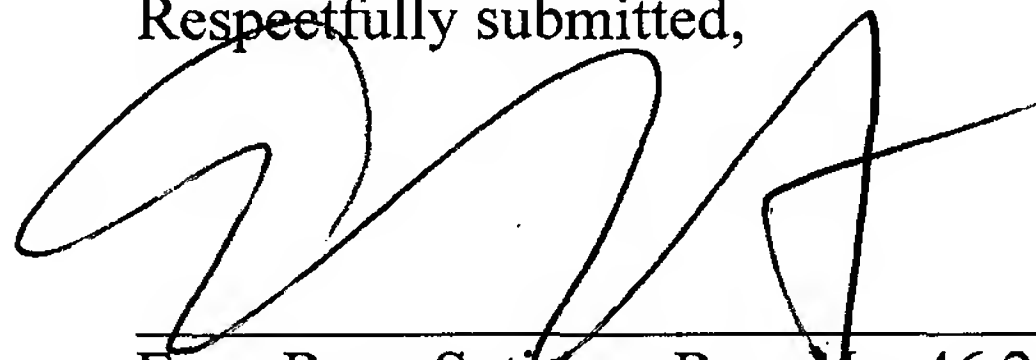
Further, newly added claim 21 recites a configuration to "enable an inflow of cool air and an outflow of warm air." O'Reagan is concerned with and describes a configuration for reducing bed sores in a hospital environment (see, e.g., col. 1, lines 11-27).

Applicant further submits that dependent claims 2-16 and 18-22 are allowable based at least on the dependency of these claims from independent claim 1.

There may be additional and/or alternative reasons to the reasons argued herein and/or herebefore that claims 1-16 and 18-22 are each patentable over the cited references. Without waiver of any additional and/or alternative reasons, Applicant reserves the right to argue any additional and/or alternative reasons hereafter.

In view of the foregoing remarks, it is respectfully submitted that the cited references neither anticipate nor render obvious the claimed invention and the pending claims in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,



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